IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 531 of 2007(L)

PETITIONER:

D. ANANDAVALLY AMMA,
OVERSEER GRADE I, KANHANGAD MUNICIPALITY,
KASARAGOD DISTRICT (UNDER ORDERS OF TRANSFER TO KANNUR MUNICIPALITY).

BY ADV. SMT.P.V.ASHA

RESPONDENTS:
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1. DIRECTOR OF URBAN AFFAIRS,
THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVT.,
LOCAL SELF GOVERNMENT DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

3. THE KAHANGAD MUNICIPALITY,
REPRESENTED BY ITS SECRETARY, KANHANGAD,
KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS
GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 531/2007 L

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER NO. B3/258/06 DT. 29/12/06.

True copy

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K. BALAKRISHNAN NAIR, J.

W.P.(C) No.531 of 2007(L)

Dated this the 13th June, 2007.

JUDGMENT

The petitioner is an Overseer Grade I in the Municipal Common Service. On her request, she was transferred to Kanhangad Municipality to join her spouse. She joined there on 22.2.2005. She is due to retire from service on 31.12.2007. While so, by Ext.P1, she has been transferred from Kanhangad to Kannur, in exigencies of service, and in public interest. Though there was a direction from this Court to find out the public interest involved in the transfer of the petitioner, the Government Pleader has no instructions in the matter. On the strength of the interim order passed by this Court, the petitioner is continuing, in Kanhangad Municipality. In other words, Ext.P1 was not implemented. Therefore, it need not be implemented now. Unless there are compelling grounds, the petitioner shall be allowed to continue at Kanhangad till she retires in December, 2007.

This writ petition is disposed of as above.

K. BALAKRISHNAN NAIR,
JUDGE.

vav.